IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2288 OF 2003
IN
FIRST APPEAL (ST.) NO.42831 OF 2001
IN
L.A.R. NO.92 OF 1995

The State of Maharashtra ....Applicant
V/s.
Khandu M. Ukirde & Ors. ....Respondents

Mrs.G.P. Mulekar, A.G.P. for the Applicant.
Mr.N.B. Shah for Respondent No. 2(A).

CORAM : R.M. LODHA, &
S.J. VAZIFDAR, JJ.
DATED : 14TH JULY, 2006.

P.C. :

The appellant-applicant preferred the first appeal against the judgment and award dated 13.11.2000 passed by the Reference Court. Since the appeal was presented after the expiry of the limitation, the present application has been made for condonation of delay. Though in the application the applicant has stated that the appeal suffers from 179 days delay, the Assistant Government Pleader concedes that the first appeal suffers from delay of 271 days.

2. In the application, it is stated that the delay was caused due to procedure and scrutiny

prescribed by law officer rules and that the matter was processed at various level. The application is not specific as it should have been and ordinarily we would have asked the Assistant Government Pleader to file additional affidavit giving specific details that resulted in delay but since there was no serious opposition to the application by Mr.N.B. Shah, we thought that this exercise was not necessary.

3. We, accordingly, condone the delay in filing the appeal. Office is directed to process the first appeal and post it for admission as soon as it is numbered.

4. The civil application stands disposed of.

(R.M. LODHA, J.)

(S.J. VAZIFDAR, J.)